

President Lyndon Baines Johnson—declared the amendment to have been ratified by the legislatures of 38 of the 50 states, thereby becoming Amendment XXIV to the United States Constitution, pursuant to Article V thereof, and reading as follows:

“AMENDMENT XXIV.

“SECTION 1. The right of citizens of the United States to vote in any primary or other election for President or Vice President, for electors for President or Vice President, or for Senator or Representative in Congress, shall not be denied or abridged by the United States or any State by reason of failure to pay any poll tax or other tax.

“SECTION 2. The Congress shall have power to enforce this article by appropriate legislation.”

SECTION 2. While the congress was still deliberating on the poll tax amendment in August of 1962, President John Fitzgerald Kennedy urged the United States House of Representatives to follow the lead of the Senate and propose the amendment for the consideration of the state legislatures “. . . to finally eliminate this outmoded and arbitrary bar to voting. American citizens should not have to pay to vote.” And in witnessing the issuance of Amendment XXIV’s certificate of validity 17 months later, Kennedy’s successor, President Johnson, noted that abolishing the tax requirement “. . . reaffirmed the simple but unbreakable theme of this Republic. Nothing is so valuable as liberty, and nothing is so necessary to liberty as the freedom to vote without bans or barriers. . . . A change in our Constitution is a serious event. . . . There can now be no one too poor to vote.”

SECTION 3. Although Amendment XXIV has been the law of the land since 1964, some 13 years following its effective date, it received symbolic post-ratification in 1977 from the General Assembly of the Commonwealth of Virginia, as reflected in the *Congressional Record* of March 28, 1977, which printed the full text of Virginia’s post-ratification; 12 years after that, the amendment gained ceremonial post-ratification in 1989 from the General Assembly of the State of North Carolina, as reflected in the *Congressional Record* of June 6, 1989, which printed the full text of North Carolina’s post-ratification; and nearly 13 years after that, the amendment acquired its most recent post-ratification in 2002 from the Legislature of the State of Alabama, as reflected in the *Congressional Record* of September 26, 2002, which printed the full text of Alabama’s post-ratification.

SECTION 4. The Legislature of the State of Texas—one of only five states still levying a poll tax by 1964—has never approved Amendment XXIV to the Constitution of the United States, but precedent makes clear the opportunity of Texas to post-ratify the amendment in a manner similar to the actions of lawmakers in Alabama, North Carolina, and Virginia.

SECTION 5. The Legislature of the State of Texas, as a symbolic gesture, hereby post-ratifies Amendment XXIV to the Constitution of the United States.

SECTION 6. Pursuant to Public Law No. 98–497, the Texas secretary of state shall notify the archivist of the United States of the action of the 81st Legislature of the State of Texas, Regular Session, 2009, by forwarding to the archivist an official copy of this resolution.

SECTION 7. The Texas secretary of state shall also forward official copies of this resolution to both United States senators from Texas, to all United States representatives from Texas, to the vice president of the United States in his capacity as presiding officer of the United States Senate, and to the speaker of the United States House of Representatives, with the request that this resolution be printed in full in the *Congressional Record*.

Passed by the House on May 4, 2009: Yeas 142, Nays 0, 1 present, not voting; passed by the Senate on May 22, 2009: Yeas 30, Nays 0.

Filed with the Secretary of State, May 26, 2009.

H.J.R. No. 85

A JOINT RESOLUTION

proposing a constitutional amendment to allow the legislature to provide for members of a governing board of an emergency services district to serve terms not to exceed four years.

BE IT RESOLVED BY THE Legislature of the State of Texas:

SECTION 1. Section 30(c), Article XVI, Texas Constitution, is amended to read as follows:

(c) The Legislature may provide that members of the governing board of a district or authority created by authority of Article III, Section 48-e, Article III, Section 52(b)(1) or (2), or Article XVI, Section 59, of this Constitution serve terms not to exceed four years.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 3, 2009. The ballot shall be printed to permit voting for or against the proposition: "The constitutional amendment to provide that elected members of the governing boards of emergency services districts may serve terms not to exceed four years."

Passed by the House on May 11, 2009: Yeas 141, Nays 0, 2 present, not voting; passed by the Senate on May 27, 2009: Yeas 31, Nays 0.

Filed with the Secretary of State, June 1, 2009.

H.J.R. No. 102

A JOINT RESOLUTION

proposing a constitutional amendment to protect the right of the public to access and use public beaches.

BE IT RESOLVED BY THE Legislature of the State of Texas:

SECTION 1. Article I, Texas Constitution, is amended by adding Section 33 to read as follows:

Sec. 33. (a) In this section, "public beach" means a state-owned beach bordering on the seaward shore of the Gulf of Mexico, extending from mean low tide to the landward boundary of state-owned submerged land, and any larger area extending from the line of mean low tide to the line of vegetation bordering on the Gulf of Mexico to which the public has acquired a right of use or easement to or over the area by prescription or dedication or has established and retained a right by virtue of continuous right in the public under Texas common law.

(b) The public, individually and collectively, has an unrestricted right to use and a right of ingress to and egress from a public beach. The right granted by this subsection is dedicated as a permanent easement in favor of the public.

(c) The legislature may enact laws to protect the right of the public to access and use a public beach and to protect the public beach easement from interference and encroachments.

(d) This section does not create a private right of enforcement.

SECTION 2. This proposed constitutional amendment shall be submitted to the voters at an election to be held November 3, 2009. The ballot shall be printed to provide for voting for or against the proposition: "The constitutional amendment to protect the right of the public, individually and collectively, to access and use the public beaches bordering the seaward shore of the Gulf of Mexico."

Passed by the House on May 11, 2009: Yeas 140, Nays 1, 1 present, not voting; passed by the Senate on May 27, 2009: Yeas 29, Nays 2.

Filed with the Secretary of State, June 1, 2009.

H.J.R. No. 116

A JOINT RESOLUTION

proposing a constitutional amendment authorizing the Veterans' Land Board to issue general obligation bonds in amounts equal to or less than amounts previously authorized.

Be it resolved by the Legislature of the State of Texas:

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